

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

UNITED STATES OF AMERICA

v.

MARKELVIN MCHENRY (2)

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§

CASE NO. 5:21-CR-13

**ORDER ADOPTING
THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

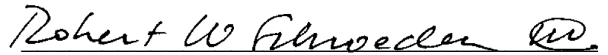
The above-styled matter was referred to the Honorable Caroline Craven, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Craven conducted a hearing on September 1, 2021, in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued a Report and Recommendation (document #60). Judge Craven recommended that the Court accept Defendant's guilty plea and conditionally approve the plea agreement. She further recommended that the Court finally adjudge Defendant as guilty of Counts 1, 2, and 9 of the Indictment. Count 1 of the Indictment charges a violation of 21 U.S.C. § 846, conspiring to distribute and possessing with intent to distribute a controlled substance. Count 2 of the Indictment charges a violation of 18 U.S.C. § 924(c)(1)(B)(i), using or carrying a firearm during and in relation to and possessing a firearm in furtherance of a drug trafficking crime. Count 9 of the Indictment charges a violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), felon in possession of a firearm. The Court is of the opinion that the Report and Recommendation should be accepted. It is accordingly **ORDERED** that the Report and Recommendation of the United States Magistrate Judge (document #60) is **ADOPTED**. It is further

ORDERED that the Defendant's guilty plea is accepted and approved by the Court. Further, the plea agreement is approved by the Court, conditioned upon a review of the presentence

report. It is finally

ORDERED that, pursuant to the Defendant's plea agreement, the Court finds the Defendant **GUILTY** of Counts 1, 2, and 9 of the Indictment in the above-numbered cause and enters a **JUDGMENT OF GUILTY** against the Defendant as to Counts 1, 2, and 9 of the Indictment.

So ORDERED and SIGNED this 2nd day of September, 2021.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE